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Jessica Leigh Cheek

Jessica Leigh Cheek

11/21/07

Date of Signature



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Lail et al. )  
Serial No.: 10/661,204 ) Art Unit: 2839  
Filed: September 12, 2003 ) Examiner: Hyeon, Hae M  
For: Optical Tube Assembly Having )  
A Dry Insert and Methods of Making )  
The Same )  
NOA: June 21, 2007 )  
Conf. No.: 7216 )

Mail Stop Petition  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED  
APPLICATION UNDER 37 C.F.R. § 1.137(b)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.137(b), and in response to the Notice of Abandonment dated October 17, 2007, Applicants hereby petition the Commissioner to revive the above-identified patent application. The application became abandoned for failure to timely pay the issue fee within the statutory period of three (3) months from the mailing date of the Notice of Allowance.

This petition is accompanied by:

- (1) The required reply, which consists of the completed Issue Fee Transmittal form PTOL-85 and payment of the issue fee and publication fee in the amount of \$1700.00;
- (2) The petition fee as set forth in 37 C.F.R. § 1.17(m) in the amount of \$1500.00; and
- (3) The statement required under 37 C.F.R. § 1.137(b)(3) that the entire delay in filing the required reply (i.e., Issue Fee Transmittal form and issue fee) from the due date of the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

Because the application was filed after June 8, 1995, this petition is not accompanied by any terminal disclaimer and fee required under 37 C.F.R. § 1.137(c).

Authorization is hereby given to charge the issue fee set forth in the Notice of Allowance mailed June 21, 2007, and the petition fee set forth in 37 C.F.R. § 1.17(m) to Deposit Account No. 03-3325. If there are any other fees due in connection with this filing not accounted for, the Commissioner is further authorized to charge those fees to Deposit Account No. 03-3325.

## CONCLUSION

Applicants submit that all of the requirements of 37 C.F.R. § 1.137(b) to revive this unintentionally abandoned application have been complied with and, thus, respectfully request that the Commissioner grant this petition and to pass the application to issue.

Respectfully submitted,



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Dated: 11/2/07